

GSA

CONFIDENTIAL

11 SEP 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Personal Property Disposal Authority -- GSA Inquiry

1. On 7 September 1973 I received a call from Mr. Herman "Bill" Barth, Deputy General Counsel, General Services Administration (GSA), (183-2155). According to Barth, a staffer from the House Committee on Government Operations had called GSA to ask if the Central Intelligence Agency (CIA) was bound to follow the procedures of the Federal Property and Administrative Services Act in disposing of "an airline." Barth stated that while he knew that we were exempt from the Property Act and that the CIA Act had given us broad procurement authority, he had been unable to find that the Agency had been given specific authority to dispose of personal property. He asked if I could help in his responding to the staffer's inquiry.

2. In discussing this matter with Mr. Warner, he said that GSA should be told that the Agency's disposal authority was based on the broad authorities conferred by the CIA Act in that "the authority to procure necessarily included the authority to dispose." In my subsequent call to Barth, I repeated the Agency's position as stated by Warner. While Barth's initial reaction was to chide me on the legal validity of this position, he did at my request agree to accept it in responding to the informal Congressional inquiry. In his response to the staffer, Barth will say he had determined that the Agency was exempt from the Federal Property and Administrative Services Act but he had been unable to find any specific authority to dispose of personal property. He hopes that such a perfunctory response will forestall further inquiry.

Assistant General Counsel

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Orig - OL Official

1 - OGC (Warner)

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